

### **REMARKS**

The applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of November 4, 2004.

All of the points raised by the Examiner are addressed herein. Reconsideration of the Application, as amended, is requested. Claims 1-22 remain in the application after this amendment is entered.

### **THE OFFICE ACTION**

Claims 1, 16, 19, and 22 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,504,955 to Oomura et al. (Oomura).

Claim 8 stands rejected under 35 U.S.C. § 103(a) for obviousness over Oomura in view of U.S. Pat. No. 5,737,438 to Zlotnick et al. (Zlotnick).

Claims 2-7, 9-15, 17, 18, 20, and 21 are identified as containing allowable subject matter and would be allowable if rewritten in independent form.

### **THE ART REJECTIONS**

#### **Claim 1 Patentably Distinguishes Over Oomura.**

The Examiner has indicated that claim 2 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. As amended, claim 1 now essentially includes elements b) through f) of originally-filed claim 2. More particularly, claim 1 now recites "identifying a second local background for the first object" and "segmenting a next object on the second local background." Oomura does not disclose or fairly suggest more than one object on a local background recited in claim 1. Accordingly, the applicants respectfully submit that amended claim 1 is currently in condition for allowance.

#### **Claim 16 Patentably Distinguishes Over Oomura.**

The Examiner has indicated that claim 17 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. As amended, claim 16 now includes element e) of originally-filed claim 17. Thus, amended claim 16 recites "identifying a local background for the first object"

and "identifying a second object on the local background." Oomura does not disclose or fairly suggest more than one object on a local background as recited in claim 16. Accordingly, the applicants respectfully submit that claim 16 and claims dependent thereon (including claims 19 and 22) are currently in condition for allowance.

**Claim 8 Patentably Distinguishes Over the Combination of Oomura and Zlotnick.**

The Examiner has rejected claim 8 for obviousness over Oomura in view of Zlotnick. In support, the Examiner refers to a CRT 10 and a printer engine 17 in Fig. 3 and col. 13, lines 27-32 of Oomura. In further support, the Examiner states "resolution of the image is constrained due to dynamic range of display device therefore Oomura is performing segmentation.... in low resolution."

Col. 13, lines 27-32 state "When the band lists are formed, attention is sequentially from the hand band list (step S103) and the character train objects in which there is no need to consider the overlap and the objects in which it is necessary to consider the overlap are separated by the procedures of Figs. 11 and 12." Neither this portion of Oomura nor any other portion discloses or fairly suggests the display of image data that is processed for the printer on the CRT display.

Rather, Oomura merely discloses a system that includes a host 3000, printer 1500, and bidirectional interface 21 for mutually connecting them. The host includes the CRT display 10 and the printer includes the printer engine 17 (col. 6, lines 62 - col. 7, line 1; col. 7, lines 29-30). In the host, various application programs (not shown) operate and drawing objects such as character trains, graphics, or the like as necessary in order to print are outputted and inputted to the printer driver 101 (col. 5, lines 9-12). The printer driver to which the drawing object is inputted from an application program or the like executes processes until the input of drawing objects of one page is finished in dependence on the kind of inputted drawing object (col. 5, lines 36-40). Accordingly, Oomura does not disclose performing low resolution segmentation of an image as alleged by the Examiner in the Office Action (paragraph 4, page 7).

Moreover, in further support of the claim 8 rejection, the Examiner states that "Zlotnick discloses refining the borders shared by object and background to original resolution" and refers to col. 4, lines 56-60, col. 5, lines 6-15, and col. 7, lines 49-54.

Col. 7, lines 49-54 states "the high resolution label images are processed by OCR subsystem 120 in a known manner to extract routing information from the text printed on the labels" and "finally, the routing information can be forwarded to an application that will apply a label with a mechanism further downstream on the conveyer system." Neither this portion of Zlotnick nor any other portion discloses or fairly suggests refining any portion of the image to an original resolution after low resolution segmentation.

Rather, Zlotnick discloses a TV camera 200 that generates a low resolution signal used to locate a label on a package traveling down a conveyer 140 (col. 4, lines 33-37, lines 57-60). "The package next passes through a stage in which high resolution (200 DPI grey scale) images of the label areas are captured, using standard 2048 element line scanners 220." (col. 7, lines 20-23).

Notably, Zlotnick discloses capturing a first low resolution image and then capturing a second higher resolution image. Not "performing low resolution segmentation" and "refining the borders... at the original resolution of the image" as recited in claim 8.

Based on the foregoing, the applicants respectfully submit that claim 8 is currently in condition for allowance.

**CONCLUSION**

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-22) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark S. Svat or Alan C. Brandt, at Telephone Number (216) 861-5582.

Respectfully submitted,

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